

<b>TITLE</b>	<b>Health Consultations</b>
<b>FOR CONSIDERATION BY</b>	Health Overview and Scrutiny Committee 2 August 2012
<b>WARD</b>	None Specific
<b>STRATEGIC DIRECTOR</b>	Heather Thwaites, Strategic Director of Development and Regeneration

**OUTCOME**

That the Health Overview and Scrutiny Committee are informed of the current "live" health consultations.

**RECOMMENDATION**

To decide on which of the "live" Consultations the Committee would like to be consulted on and respond to prior to the deadline dates.

**SUMMARY OF REPORT**

This paper provides an overview of "live" consultations in relation to health policy as of 18 July 2012.

**Department of Health 'live' consultations**

Details provided on the "live" consultations have been taken directly from the Department of Health website.

For further information on consultations please refer to the Department of Health website, see link below –

<http://www.dh.gov.uk/en/Consultations/Liveconsultations/index.htm>

**1. Consultation on local authority health overview and scrutiny**

**Launch date:** 12 July 2012

**Closing date:** 7 September 2012

Local authority health scrutiny powers were introduced in 2003. Since then NHS organisations and local authorities have changed substantially. The Health and Social Care Act 2012 will bring about further structural changes. Health scrutiny arrangements will therefore need to be brought in line with these changes.

This Department of Health consultation seeks views on a number of proposed changes to the arrangements and regulations governing local authority health scrutiny to ensure that the interests of patients and the public are at the heart of the planning, delivery and reconfiguration of health services.

The consultation seeks views on whether health service reconfiguration and referrals

should include the following:

- A requirement for local authorities and the NHS to agree and publish clear timescales for making a decision on whether a proposal should be referred;
- new intermediate referral stage to the NHS Commissioning Board for some service reconfigurations;
- requirement for local authorities to take account of the financial sustainability of services when considering a referral, in addition to issues of safety, effectiveness and the patient experience; and
- requirement for health scrutiny to obtain the agreement of the full council before a referral can be made.

The Department of Health state that 'any decisions to take further policy action on health scrutiny will be taken only after full consideration is given to consultation responses, evidence and other relevant information. Responses to the consultation, evidence submitted and other relevant information will inform the development of new regulations for local authority health scrutiny'. The Department of Health intends to bring these new regulations into effect from April 2013.

**Contact:** Scrutiny Consultation  
Patient and Public Engagement Experience  
Room 5E62, Quarry House  
Quarry Hill  
Leeds  
LS2 7UE

<http://www.dh.gov.uk/health/2012/07/health-scrutiny/>

## **2. Consultation on a new adult safeguarding power for local authorities**

**Launch date:** 11 July 2012

**Closing date:** 12 October 2012

The Draft Care and Support Bill includes a proposed new duty on local authorities to make enquiries where there is a safeguarding concern. It states that local authorities "must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken."

This Department of Health consultation seeks views on whether or not there should be a new power to support this duty. It could be in the form of a power of entry which will enable the local authority to speak to someone with mental capacity who they think could be at risk of abuse and neglect, in order to find out that they are making their decisions freely.

The draft Bill contains a number of proposals, including a duty of co-operation and partnership working between local authorities, police and health services. The Department of Health does not want to introduce further powers of entry unless a compelling case can be made.

Responses to the consultation document and to the specific questions should be **emailed to:** [SafeguardingConsultation@dh.gsi.gov.uk](mailto:SafeguardingConsultation@dh.gsi.gov.uk) or:

**Address:** Quality and Safety Team  
Department of Health  
124 Wellington House  
133 -155 Waterloo Road  
London SE1 8UG

<http://www.dh.gov.uk/health/2012/07/safeguardingadults/>

### **3. Consultation on the future of audit staff in trusts**

**Launch date:** 13 July 2012

**Closing date:** 7 September 2012

The Department of Health's National Advisory Group for Clinical Audit and Enquiries (NAGCAE) seeks views on the future of quality assessment and quality health care improvement.

Surveys in recent years have highlighted that audit staff in trusts are increasingly concerned about their position, role and prospects. This concern is shared by NAGCAE.

The focus of NAGCAE's concern and interest is the role and function of audit staff in trusts and not the ability and achievements of existing staff. NAGCAE shares the positive views of many trust Chief Executive Officers as to the calibre of audit staff. This timely review will explore how the contribution of audit staff in Trusts might be enhanced and their future sustained.

Responses to the consultation document and to the specific questions should be **emailed to** [clinicalaudit@dh.gsi.gov.uk](mailto:clinicalaudit@dh.gsi.gov.uk) by 17 September 2012.

<http://www.dh.gov.uk/health/2012/07/audit-staff/>

### **4. Developing NHS care objectives: A consultation on the draft mandate to the NHS Commissioning Board**

**Launch date:** 4 July 2012

**Closing date:** 26 September 2012

This Department of Health consultation sets out the government's new objectives for the NHS Commissioning Board for the improvement of health services.

'Our NHS care objectives: a draft mandate to the NHS Commissioning Board' sets out the Health Secretary's expectations for the health service and marks the move to a

more patient-centered, independent, transparent and outcomes focused NHS.

This first mandate to the new NHS Commissioning Board (NB: the Board will be established on 1 October 2012) aims to:

- set care objectives that really matter to people;
- ensure that patients continue to receive high quality care every time – care that is effective, safe and results in patients having as positive an experience as possible;
- make sure that there is clear accountability and a transparent way to tell whether the Board is getting results; and
- set out a clear expectation for continual improvement across the health service.

(Background information on the mandate: The mandate is a multi-year document setting out NHS care objectives for the period from April 2013 to March 2015, and set ambitions for *improving outcomes over five and ten years*. It will be revised each year to ensure it remains up to date, but the Government's intention is that objectives will roll forward until they have been achieved. This will provide continuity for the NHS commissioning system, while recognising that many outcomes may take several years to deliver. To reinforce this continuity, the mandate may only be changed in-year in certain circumstances: by agreement with the Board, if there is a general election, or in exceptional circumstances. Any changes would have to be reported and explained to Parliament.)

**Contact:** The Mandate Development Team

**Address:** 602 Richmond House  
London  
SW1A 2NS

**Email Address:** [mandate-team@dh.gsi.gov.uk](mailto:mandate-team@dh.gsi.gov.uk)

<http://www.dh.gov.uk/health/2012/07/draft-mandate-consultation/>

## **5. Consultation on funding allocations for independent mental health services**

**Launch date:** 17 July 2012

**Closing date:** 7 September 2012

This consultation seeks views on the options for distributing funding to local authorities for Independent Mental Health Advocate (IMHA) services and the Armed Forces' compensation disregard.

From April 2013 the statutory duty and funding for commissioning IMHA services will transfer to local authorities. These services are currently commissioned by Primary Care Trusts.

In the 'Caring for our future: reforming care and support' White Paper the government announced that the government will amend social care regulations and charging guidance so that members of armed forces injured as a result of service will no longer need to use monthly Guaranteed Income Payments (GIPs) for their injuries from the Armed Forces Compensation Scheme to fund publicly arranged social care. Funding for these new local authority duties will be provided through a DH grant.

**Responses by email using the reply sheet to:** [scgrants@dh.gsi.gov.uk](mailto:scgrants@dh.gsi.gov.uk)

<http://www.dh.gov.uk/health/2012/07/funding-allocations-imha/>

## **6. Consultation on fertility and human tissue regulators**

**Launch date:** 28 June 2012

**Closing date:** 28 September 2012

The Department of Health consultation seeks views on proposals to transfer regulatory functions from the Human Fertilisation and Embryology Authority (HFEA) and the Human Tissue Authority (HTA) to the Care Quality Commission (CQC) and the Health Research Authority in order to streamline regulation and reduce bureaucracy. These proposals are part of broader plans to cut NHS administrative costs by more than a third by 2015.

The consultation seeks views on:

- whether all functions should transfer to the CQC except the HFEA functions relating to research that would pass to the Health Research Authority; and the HFEA and HTA be abolished;
- all functions should transfer, as set out above, but a limited number of functions would transfer to organisations other than the CQC; and
- the HFEA and HTA should retain their functions but deliver further savings.

**Contact:** The ALB Transition Team

**Address:** 218 Richmond House  
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London  
SW1A 2NS

**Telephone:** 020 7210 4355

<http://www.dh.gov.uk/health/2012/06/consultation-regulators/>

## **7. Consultation on making the Nursery Milk Scheme more cost effective**

**Launch date:** 18 June 2012

**Closing date:** 11 September 2012

The aim of this consultation is to explore different options for modernising the Nursery Milk Scheme, looking at where the Department of Health can make it more efficient as well as improving its value for money, while ensuring all children under five in childcare settings continue to receive free milk.

The current nursery milk scheme has been running since the 1940s and the government is committed to continuing to provide free milk for all nursery children. However, analysis shows modernising the operation of the scheme could save up to £20 million each year.

Figures show that the government is spending up to 92p for a pint of milk through the scheme, while most consumers can pay 45p – almost half the price.

In its current form, the legislation covering the scheme provides for full reimbursement of the cost of the milk. While childcare providers are encouraged to seek value for money, there are cases where this is not happening.

Around 1.5 million under-5s in the UK in 55,000 childcare settings receive free milk. The consultation explores 4 different options to reform the scheme:

- leave the scheme as it currently exists
- cap the price that can be claimed for milk by childcare providers
- issue e-voucher cards which childcare providers can use to purchase milk
- introduce a government contract with an external provider to directly supply and deliver milk to all childcare providers

The consultation also seeks views on the price, access, voucher schemes, supply and claims procedures.

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<http://www.dh.gov.uk/health/2012/06/nms/>

**Reasons for considering the report in Part 2**

N/A

**List of Background Papers**

N/A

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